

October 19, 2007

07-BK-002

Advisory Committee on Bankruptcy Rules
c/o Peter G. McCabe, Secretary
Committee on Rules of Practice and Procedure
Administrative Office of the U.S. Courts
One Columbus Circle, N.E.
Washington, D.C. 20544

Re: Consideration of Amendment to Rule 8002

Ladies and Gentlemen:

I write to oppose extension of the time to take bankruptcy appeals from 10 days to 30 days. Rule 8002 has served us well in bankruptcy cases. A change to a 30-day appellate period, which would mirror other federal courts, runs the risk of foolish inconsistency with detriment to bankruptcy practice. I believe that extending the appellate period from 10 days to 30 days would have a large adverse impact, particularly in cases where bankruptcy transactions require a final order. Most orders are not appealed and the 30-day wait to close a deal is an unnecessary delay to impose on every order; the only apparent benefit appears to accommodate parties that might want more than 10 days to appeal. I note that the current rules permit an extension of the time within which to file a notice of appeal for cause shown, and this should satisfy the needs of those few parties for whom 10 days is a burden.

I appreciate your consideration of my comments and look forward to receiving the rules package that you produce.

Very truly yours,


Kenneth N. Klee

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